

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DARKPULSE, INC.,

Plaintiff,

v.

FIRSTFIRE GLOBAL OPPORTUNITIES
FUND, LLC and ELI FIREMAN

Defendants.

Index No. 1:21-cv-11222 (ER)

**DECLARATION OF AARON H. MARKS IN SUPPORT OF DEFENDANTS’
REPLY MEMORANDUM OF LAW IN FURTHER SUPPORT OF THEIR
MOTION TO DISMISS THE FIRST AMENDED COMPLAINT**

I, Aaron H. Marks, hereby declare, under penalty of perjury pursuant to 28 U.S.C. § 1746, as follows:

1. I am a partner of the law firm of Kirkland & Ellis LLP, counsel of record for Defendants FirstFire Global Opportunities Fund, LLC (“FirstFire”) and Eli Fireman in the above-captioned action. I have personal knowledge of the facts set forth in this Declaration, unless otherwise indicated. I submit this Declaration in support of Defendants’ Reply Memorandum of Law in Further Support of Their Motion to Dismiss the First Amended Complaint.

2. Attached hereto as **Exhibit Q** is a true and correct copy of the Securities Purchase Agreement dated August 19, 2015, by and between Energie Holdings, Inc. and LG Capital Funding, LLC, attached as an exhibit to the First Amended Complaint filed in *LG Capital Funding, LLC v. ExeLED Holdings Inc.*, Case No. 1:17-cv-04006-LJL-OTW (S.D.N.Y. July 10, 2017), Dkt. No. 26-1.

Pursuant to 28 U.S.C. § 1746(2), I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 30, 2022 in Westchester County, New York.

/s/ Aaron H. Marks

Aaron H. Marks